

FILED
U.S. DISTRICT COURT

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DISTRICT OF UTAH

BY: DEPUTY CLERK

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

STATE OF UTAH, CAMILLE
ANTHONY, in her official capacity as
Executive Director of the Utah Department
of Administrative Services, and GWEN
ANDERSON, in her official capacity as
Director of the Office of State Debt
Collection,

vs.

JASON DEREK TROFF, an individual,

Appellee/Defendant.

Bankruptcy Case No. 03-21840
Adversary Proceeding No. 04-02491

District Case No. 2:05cv382 BSJ

Judge Bruce S. Jenkins

SUPPLEMENT TO APPELLANTS' BRIEF

At the Court's request and with no objection from the Appellee, the State of Utah

submits by attaching hereto a certified copy of the Judgement, Sentence (Commitment) entered against Appellee on August 25, 1997 by the Honorable Tyrone E. Medley, District Judge of the Third Judicial District for Salt Lake County, State of Utah.

Dated this 6th day of June, 2005.

MARK L. SHURTLEFF
Utah Attorney General


KEVIN V. OLSEN
Assistant Attorney General
Attorneys for Defendants/Appellants

MAILING CERTIFICATE

I hereby certify that on the 6th day of June, 2005, a true and correct copy of the foregoing Supplement to Appellants' Brief with attachment was hand-delivered to:

R. Mont McDowell
Michael F. Thomson
McDOWELL & GILLMAN, P.C.
Twelfth Floor
50 West Broadway
Salt Lake City, Utah 84101



THE STATE OF UTAH

Plaintiff,
vs.
TROFF, JASON DEREK
(Diagnostic Unit U.S.P.)
Defendant.

JUDGEMENT, SENTENCE
(COMMITMENT)

Case No. 971900425
Court No.
Honorable Tyrone E. Medley
Clerk Susan Hensley
Reporter Dorothy Tripp
Bailiff Gus Chin
Date August 25, 1997

The motion of _____ to enter a judgement of conviction for the next lower category of offense and impose sentence accordingly in granted denied. There being no legal or other reason why sentence should not be imposed, and defendant having been convicted by a jury; the court. plea of guilty; plea of no contest; of the offense of criminal offenses - arson a felony of the 2nd degree, a class _____ misdemeanor, being now present in court and ready for sentence and represented by D. Maddox, and the State being represented by E. Jones now adjudged guilty of the above offense, is now sentenced to a term in the Utah State Prison.

to a maximum mandatory term of _____ years and which may be life; 2217374
 not to exceed five years; 8-27-97
 of not less than one year nor more than fifteen years; 8. 15 yrs
 of not less than five years and which may be for life;
 not to exceed _____ years;
 and ordered to pay a fine in the amount of \$ _____
 and ordered to pay restitution in the amount of \$ _____ to \$239,969 to be paid jointly and severally
 such sentence is to run concurrently with _____
 such sentence is to run consecutively with _____
 upon motion of State, Defense, Court, Court(s) _____ are hereby dismissed.

 Defendant is granted a stay of above (prison) sentence and placed on probation in the custody of this Court and under the supervision of the Chief Agent, Utah State Department of Adult Parole for the period of 36 months, pursuant to the attached conditions of probation.
 Defendant is remanded into the custody of the Sheriff of Salt Lake County for delivery to the Utah State Prison, Draper, Utah, or for delivery to the Salt Lake County Jail, where defendant shall be confined and imprisoned in accordance with this Judgment and Commitment.
 Commitment shall issue.

DATED this 25 day of August 1997

APPROVED AS TO FORM

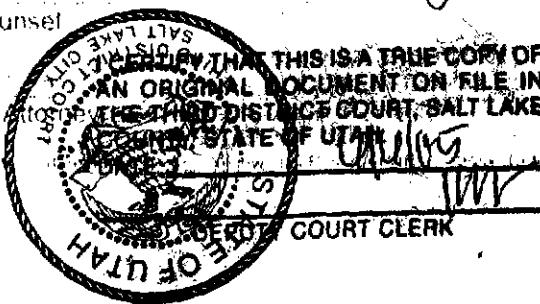
Tyrone E. Medley



Defense Counsel

Deputy County Attorney THE THIRD JUDICIAL DISTRICT COURT, SALT LAKE

WHITE CLOUD



Judgment/State v TROFF, JASON DEREK

971900425

CR

Honorable

Tyrone E. Medley

CONDITIONS OF PROBATION

(1) Usual and ordinary conditions required by the Dept. of Adult Probation & Parole

Serve **one year - to be given no credit for time served**
in the Salt Lake County Jail commencing

Pay a fine in the amount of \$ **239,969** at a rate to be determined by the Department of Adult Probation and Parole; or at the rate of **or** in an amount to be determined by the Department of Adult Probation and Parole

Pay restitution in the amount of \$ **239,969** at a rate to be determined by the Department of Adult Probation and Parole; or at a rate to be determined by the Department of Adult Probation and Parole

Enter, participate in, and complete any **mental health** program, counseling, or treatment as directed by the Department of Adult Probation and Parole

Enter, participate in, and complete the **.....** program at **.....**

Participate in and complete any **educational, and/or vocational training** as directed by the Department of Adult Probation and Parole, or with

Participate in and complete any **.....** training as directed by the Department of Adult Probation and Parole, or with

Submit person, residence, and vehicle to search and seizure for the detection of drugs

Submit to drug testing

Not associate with anyone who illegally uses, sells, or otherwise distributes narcotics or drugs

Not frequent any place where drugs are used, sold, or otherwise distributed illegally

Not use or possess non-prescribed controlled substances

Refrain from the use of alcoholic beverages

Submit to testing for alcohol use

Take antabuse as directed by the Department of Adult Probation and Parole

Obtain and maintain full-time employment

Maintain full-time employment

Obtain and maintain full-time employment or full-time schooling

Maintain full-time employment or obtain and maintain full-time schooling

Defendant is to have no contact nor associate with **.....**

Defendant's probation may be transferred to **.....** under the Interstate Compact as approved by the Department of Adult Probation and Parole

Complete **500** hours of community service restitution as directed by the Department of Adult Probation and Parole **within 12 months of release of jail.**

Complete **.....** hours of community service restitution in lieu of **.....** days in jail

Defendant is to commit no crimes

Defendant is ordered to appear before this Court on **.....** for a review of this sentence.

Defendant to be supervised by I.S.P. with electronic monitoring

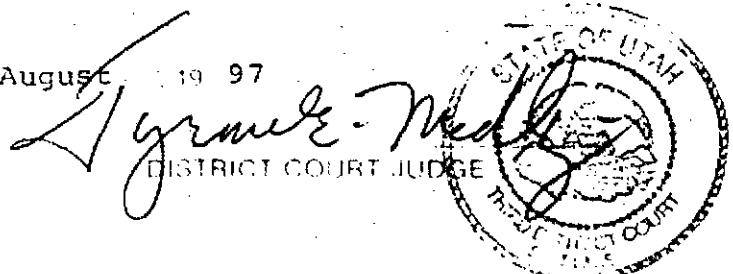
Defendant to attend cognitive restructuring classes and time management

Defendant to report to Day Reporting Center

Defendant is not to associate with known gang members

Court imposes special conditions of probation for gangs

DATED this 25 day of August 19 97




TYRONE E. MEDLEY
DISTRICT COURT JUDGE
STATE OF UTAH
DISTRICT COURT

SPECIAL CONDITIONS OF PROBATION for GANGS

BBM
The defendant shall not associate with any known gang member, specifically individuals affiliated with the designated by my probation officer: Straight Edges, Vegans, A.T.F.

BBM
The defendant shall not wear, display, use, or possess any insignias, emblems, belt buckles, jewelry, caps, hats, jackets, or shoes/shoe laces which are associated with a specific gang(s), any scarves/bandanas, shirts inscribed "In Memory of" a deceased or incarcerated gang member, or other articles of clothing modified to represent a particular gang(s).

BBM
The defendant shall not display any gang signs, gestures, or any posturing associated with a specific gang(s).

BBM
The defendant shall not have in his possession any written materials, documents or photographs which give evidence of gang involvement or activity, such as membership or enemy lists, articles which contain or have upon them gang-associated graffiti, drawings or lettering, photographs or newspaper clippings of gang members, gang crimes or activities including obituaries, or photographs of himself in gang clothing, demonstrating hand signs or holding weapons;

BBM
The defendant shall not have in his possession or under his control spray paint, spray can tips, large marking pens, or other items commonly used to create graffiti, or "tagger" magazines;

BBM
The defendant shall not frequent places where known gang members congregate, or locations specifically delineated by his probation officer (i.e.: dance clubs);

BBM
The defendant shall not appear in court, or at a courts building, unless a party to proceedings in that court;

BBM
8. The defendant shall not visit or frequent any school ground, unless he is a student registered at that school and present during appropriate class hours;

9. The defendant shall not be an occupant in any stolen vehicle, or vehicle he should have known was stolen;

BBM
10. The defendant shall not have in his possession, in his custody, under his control, in a vehicle in which he is a passenger, or on the premises where he resides, any firearm or replica thereof, ammunition, or dangerous weapon (any item which, in the manner of its use or intended use is capable of causing death or serious bodily injury); further, Not associate with, or be in the company of, any individual who has firearms or dangerous weapons in their possession or under their control: *any incendiary device or materials including materials or fireworks*

11. The defendant shall not be involved in activities in which, or frequent places at which, firearms or dangerous weapons are used, legally or otherwise, including but not limited to hunting or target shooting;

12. The defendant shall not be in possession of any beeper or paging device, except in the course of lawful employment;

BBM
13. The defendant shall obtain, and carry on his person at all times, a valid Utah Driver License, Utah Identification Card or other approved photo identification;

BBM
14. If when contacted by law enforcement, the defendant shall provide his true name, place of residence (street address, not P.O. Box), and date of birth, and inform the officer(s) of his probation status; he shall report such contact to his probation officer within 48 hours, including the date and nature of the contact, the law enforcement agency and any potential charges;

BBM
15. The defendant shall be at his residence of record between the hours specified by his probation officer (example: 8:00 p.m. to 6:00 a.m.), unless otherwise authorized, i.e. for verified employment or education;

16. The defendant shall earn a GED and/or high school diploma or, complete vocational training or an apprenticeship program, as directed by his probation officer.

~~17.~~ The defendant shall complete 500 hours of community service removing graffiti, or as otherwise directed by his probation officer.

~~18.~~ The defendant shall enter into, participate in and complete treatment, counseling or therapy as directed by his probation officer.



Judge Tyrone E. Medley
Aug 25, 1997.